

PUBLIC MEETING
October 2, 2001

Vice-Chair Murray called the meeting to order at 9:00 a.m.

Commissioner Varone was present. Commissioner Loendorf was out of town on county business. Others attending all or a portion of the meeting included K.Paul Stahl, Sharon Haugen, Ron Alles, Frank Rives, Martin Kidston, John Traub, Jeff Levert, Robert Hudnall, Diana Brodston, Janet Pallister, and Carole Byrnes.

Pledge of Allegiance.

Minutes. There were no minutes to approve.

Auditor's Invoice Report. Audra Zacherl reported that 707 claims have been selected for payment in the total amount of \$723,452.06. The report and claims are available for public inspection in room 345, and on the county web site.

Request for Modification of the Subdivision Approval for Proposed Subdivision, Summary Review to be Known as the Traub Minor. (cont. from 9/18/01). The applicant, John Traub was present and indicated his willingness to proceed. Frank Rives presented the staff report. The requested modifications are as follows:

Removal of condition 2, storm water drainage plan. Staff recommended that this condition remain as a standard condition of approval.

Removal of condition 3, requiring a paved approach apron on Valley Drive. Staff recommended that this condition be modified because the mini-storage unit would not be part of the proposal. The paved apron could be reduced to a depth of 20 feet instead of 30 feet.

Removal of condition 4, for an updated site plan for the proposed mini-storage. Staff recommended that this condition be retained but modified to remove the reference to the design and dimensions of the turn around.

Modify condition 5, for a five-year weed management plan. Staff recommended this standard condition be retained.

Modify condition 6, to remove the second sentence of the fire protection plan. Staff concurs that the second sentence be stricken.

Modify condition 7.d, modified to read, "any exterior lighting shall be arranged and directed downward to minimize illumination beyond the subject property lines."

Remove condition 7.g, stormwater runoff as a duplication of condition 2. Staff does not consider it to be a duplication and recommended that this condition be retained.

Remove condition 8, to install address plaques. The applicant has fulfilled this requirement. Staff recommended that this condition be retained.

Remove condition 9, to provide sampling data for possible metals contamination. The applicant has fulfilled this requirement. Staff recommended that this condition be retained.

Modify condition 10.b, to remove the words "storm water retention" and "approach permit." Staff recommended that this condition be retained.

Remove condition 11, because tax notices and the applicant has provided the deed. Staff recommended that this condition be retained because this information may be updated at a later date.

Modify condition 12, to permit the approval period to begin with the date of approval of this modification request. Staff recommended that this condition remain as is because the date of preliminary plat approval is established by statute and cannot be changed. The applicant may request an extension of time not to exceed a maximum of four years.

John Traub, 1310 Ponderosa Road. Mr. Traub responded to the staff report.

Wastewater Treatment/Water Supply. He has turned in approvals for both septic systems. The systems have been in place for many years and see no reason that they be isolated and therefore requested this condition be removed.

Storm Water Drainage Plan. No soil disturbance is planned which will disturb the natural drainage of runoff. The runoff occurs from property to this south of the subject property and therefore requested this condition be removed.

Approach. The two-driveway system is in place. He will work through the county permit procedure to determine if a single approach is warranted. He does not agree with the placement of the pad.

Updated Site Plan. An updated site plan has been turned into staff with the request for modification.

Weed Management Plan. All construction is in place and no further construction is anticipated or planned which would disturb the soil. This area has been reseeded and is weed free and therefore requested this condition be removed.

Fire Protection Plan. This parcel is already in place and sees no need for a fire protection plan.

Covenants. Most of the references do not require covenants and requested they be removed, with the exception of 6.c, waiver of right to protest joining a community water or wastewater treatment system improvement.

Extension Request. Mr. Traub submitted a letter requesting an extension from February 20, 2002 to February 20, 2003.

Without objection, the Commission accepted Mr. Traub's extension request.

Bill Hines, 69 Rockridge Drive, Clancy. Mr. Hines assisted Mr. Traub with the purchase of this property and understood this was a modification of use and not a request for a minor subdivision. The property is in the same condition as it was in 1977.

Sharon Haugen stated this summary review is the proper process.

Frank Rives responded to Mr. Traub's comments for clarification purposes.

Condition 1. The drainfield for the duplex is believed to be located in the driveway, the exact location is not known. The drainage plan will help identify the exact location of the drainfield to isolate it from vehicular traffic.

Condition 4. Mr. Traub has provided an updated site plan and is fine. This condition should be modified because the condition specifically states the design and dimensions of the turnaround for the min-storage unit.

Condition 5. County Extension Agent has required a Five-Year Weed Management Plan be submitted.

Condition 6. The East Valley Fire Department stated that fire protection is adequate, however, this condition should be modified because it refers to the driveway and the turnaround, which is relates to the mini-storage unit. This is modified so they are not held to that standard.

John Traub believes the soil is compacted as much as possible. The sewage system has not caused any problems. He would be required to replace the system in case of a failure.

Without objection, Mr. Traub's entire package will be entered into the record.

Commissioner Varone moved that the Commission render a final decision on Thursday, October 4, 2001 at 9:00 a.m.

Proposed Subdivision, Summary Review to be Known as Richland Towers No. 2 Minor. (cont. from 8/28 and 9/4/01) The Commissioners will consider creating one space for lease for a communication tower site (100'x100'). The tract would be developed for one space for lease for a 190-foot high, self-supported communication tower. The lease space would be enclosed by a six-foot high, chain link security fence. The parcel is currently developed with a single family home, an on-site water well, an on-site wastewater treatment system and utilities. No services would be required for this development. Access to the lease parcel would be from Interstate 15, connection to the South Recreation Road and then via an existing jeep trail. Road construction and an approach permit would be required to access the site. The proposal is located in the SE1/4 of Section 21, T14N, R4W; generally located south of Wolf Creek and east of Frontage Road.

Without objection, the Commission entered a letter into the public record stating that Richland Tower #3 is being withdrawn until further notice.

Jeff Levert, 1550 Harrison Avenue, Butte, was present and indicated his willingness to proceed.

Frank Rives presented the staff report on the 190-foot communication tower. No services are required of the development. Access to the property is via Interstate 15 and from an existing jeep trail. Road construction and an approach permit would be required to access the site. The proposed site is an undeveloped hillside with mature trees and native grasses. Utilities will be required to be installed underground. Groundwater quality and quantity would not be impacted by the proposed site and would not negatively affect air quality in the area. In the event of collapse of the tower, there is a potential for damage or use and would be considered low risk. This tower could withstand winds of up to 75 mph.

Staff recommended approval of the site subject to the conditions outlined in the staff report.

Jeff Levert, stated that the Richland Towers Site #3 has been temporarily terminated. Mr. Levert distributed a map depicting how much of this tower Mr. Murphy will see. Richland Towers is open to any type of conditions that the county will place on them. They will make sure that the tower will be removed in case of collapse or if the company goes bankrupt.

Hearing no public comments, the Vice-Chair closed this portion of the hearing. Without objection, a photograph of the site view will be entered into the public record.

Commissioner Varone moved that the Commission render a final decision on Thursday, October 4, 2001. Commissioner Murray seconded the motion and it carried 2-0.

TSEP Management Plan-Contract MT-TSEP-CG-01-113. Janet Pallister reported on the revised management plan for FY2002 Treasure State Endowment Program Grant. The management plan was originally submitted with the grant applicant but since that time, several staff members have changed who are responsible for grant management. Nancy Everson will be the project finance coordinator and Janet will serve as the project manager. Staff recommended approval of the change in the plan. Commissioner Varone moved that the Commission approve the plan and authorized the Chair to sign. Commissioner Murray seconded the motion and it carried 2-0.

TSEP Contract MT-TSEP-PE-02-170. Janet Pallister reported this contract is to hire a consulting engineer to update the bridge inventory and provide a preliminary engineering report. The total amount of the grant is up to \$10,000. County match is budgeted in the FY02 bridge budget, which is included in the all-purpose fund. Deputy County Attorney Paul Stahl has reviewed this agreement. Staff recommended

approval. Commissioner Varone moved that the Commission render a decision on Thursday, October 4, 2001 to allow time to review the contract. Commissioner Murray seconded the motion and it carried 2-0.

Court Services Contract with Golden Triangle Community Health Center. Dick Meeker reported that the money comes from the pilot project funds that were not expended last year from the Department of Corrections. These funds can be used to develop community-based resources. The contract with Golden Triangle deals specifically with runaway youth at a rate of \$85 per hour.

Court Services Contract with Shelly Richtmyer. Dick Meeker reported that the contract with Shelly Richtmyer will provide part-time services to youth who come before the court in Broadwater County. C
Commissioner Varone moved that the Commission approve the contract and authorized the Vice-Chair to sign. Commissioner Murray seconded the motion and it carried 2-0.

Montana Arts Council Revised Budget. Sharon Haugen reported on the revised budget submitted by the Helena Symphony Society. Lewis and Clark County is the sponsoring agent. Staff recommended approval. Commissioner Varone asked to review the original grant and moved to render a decision on October 4, 2001. Commissioner Murray seconded the motion and it carried 2-0.

Montana Arts Council Final Narrative Report. Sharon Haugen reported on the final narrative report for the Grandstreet Theatre. Staff recommended approval. Commissioner Varone moved that the Commission approve the final report and authorized the Vice-Chair to sign. Commissioner Murray seconded the motion and it carried 2-0.

Board Appointment. Ron Alles reported that one application has been submitted by David Depew for appointment on the Forestvale Cemetery Board of Trustees. Commissioner Varone moved that the Commission approve the appointment of David Depew to the Board of Trustees. Commissioner Murray seconded the motion and it carried 2-0.

Other Business.

Final Plat Approval for the Yuhas Tracts. Frank Rives reported that the applicant has met all of the conditions of approval. Staff recommended approval. By consensus, the Commission signed the final plat.

There being no other business, the meeting adjourned at 10:14 a.m.